

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION**

DON GORDON HENRY

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

Case No. 5:05-CR-59(HL)

28 U.S.C. § 2255

Case No. 5:09-CV-90045(HL)

ORDER

This matter is before the Court on the Magistrate Judge's Report and Recommendation ("R&R") (Doc. 126) on Petitioner's Motion to Vacate, Set Aside, or Correct Sentence Under 28 U.S.C. § 2255 (Doc. 123). The R&R recommends dismissing the Motion as time-barred. Petitioner has filed an Objection (Doc. 127). Pursuant to 28 U.S.C. § 636(b)(1), the Court has thoroughly considered Petitioner's Objection and has made a de novo determination of the portion of the R&R to which he objects. After careful consideration, the Court accepts and adopts the findings, conclusions, and recommendations of the Magistrate Judge. Petitioner's Motion for Documents (Doc. 125), which seeks certain transcripts so that Petitioner can adequately support his § 2255 Motion, is denied.

SO ORDERED, this the 5th day of August, 2009.

s/ Hugh Lawson
HUGH LAWSON, Judge

dhc